Upper Perkiomen School District

SECTION: PROFESSIONAL EMPLOYEES

TITLE: HARASSMENT

ADOPTED: 06/14/01
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1. Purpose	The Board strives to provide a safe, positive working climate for its employees. Therefore, it shall be the policy of the Upper Perkiomen School District to maintain an employment environment in which harassment in any form is not tolerated.
2. Authority Sec. 703 of Title VII of Civil Rights Act of 1964:	The Board prohibits all forms of harassment of employees by all Upper Perkiomen School District students and staff members, contracted individuals and vendors, and volunteers in the schools. The Board encourages employees who have been harassed to promptly report such incidents to the designated administrators/supervisors.
Sec. 5(a) PHRC Act; Title IX of the 1972 Education Amendments.	The Board directs that complaints of harassment shall be investigated promptly, and corrective action shall be taken when allegations are verified. Confidentiality of all parties shall be maintained, consistent with the Upper Perkiomen School District's legal and investigative obligations. No reprisals or retaliation shall occur as a result of good faith charges of harassment.
3. Definitions OCR Guidelines on Sexual Harassment, Fed Reg. Vol 62, #49; PHRC	The term **harassment** includes but is not limited to repeated, unwelcome and offensive slurs, jokes, or other verbal, graphic or physical conduct relating to an individual's race, color, religion, ancestry, sex, national origin, age or handicap/disability which creates an intimidating, hostile or offensive working environment.
4. Guidelines: PA Bulletin Vol. II, #5 Policy Memo Office of Civil Rights USDE March 1997	**Ethnic harassment** includes the repeated, unwelcome and offensive use of any derogatory word, phrase or action characterizing a given racial or ethnic group that creates an intimidating, hostile or offensive working environment.
	Sexual harassment shall consist of unwelcome sexual advances, requests for sexual favors, and other inappropriate verbal or physical conduct of a sexual nature when: 1. Acceptance of unwelcome sexual advances, requests for sexual favors, or other verbal or physical conduct of a sexual nature is a term or condition of an individual's continued employment. 2. Submission to or rejection of such conduct is the basis for employment decisions affecting the individual. 3. Such conduct has the purpose or effect of creating an intimidating, hostile or offensive working environment. Examples of sexual harassment include but are not limited to sexual flirtations, advances, touching or propositions; verbal abuse of a sexual nature; graphic or suggestive comments about an individual's dress or body; sexually degrading words to describe an individual; jokes, pin-ups, calendars, objects, graffiti, vulgar statements, abusive language, innuendoes, references to sexual activities, overt sexual conduct,

	or any conduct that has the effect of unreasonably interfering with an employee's ability to work or which creates an intimidating, hostile or offensive learning or working environment. The Upper Perkiomen School District shall annually inform students, staff, parents, independent contractors and volunteers that harassment of employees will not be tolerated. The Upper Perkiomen School District shall provide training for students and staff concerning all aspects of harassment.
4. Responsibility	Each staff member shall be responsible to maintain a working environment free from all forms of harassment. Each employee shall be responsible to respect the rights of Upper Perkiomen School District staff and to ensure an atmosphere free from all forms of harassment.
Pol. 104	The immediate supervisor shall be designated to receive harassment complaints. If the building principal is the subject of the complaint, the complainant shall report the complaint directly to the Superintendent or designee.
5. Guidelines	When an employee believes that s/he is being harassed, the employee should immediately inform the harasser that his/her behavior is unwelcome, offensive or inappropriate. If the unwelcome, offensive or inappropriate behavior continues, the employee shall follow the established complaint procedures. **Training** Each current employee must successfully complete a harassment prevention training program once every three years. Each new employee must successfully complete a harassment prevention training program within 90 days of their effective hire date. The training program will be administered through the Human Resources Department. **Complaint Procedure** 1. An employee shall report a complaint of harassment, orally or in writing, to the immediate supervisor or a designated employee, who shall inform the employee of his/her rights and of the complaint process. 2. The immediate supervisor immediately shall notify the Superintendent or designated administrator and shall conduct an impartial, thorough and confidential investigation of the alleged harassment. In determining whether alleged conduct constitutes harassment, the totality of the circumstances, nature of the conduct and context in which the alleged conduct occurred shall be investigated. 3. The immediate supervisor shall prepare a written report summarizing the investigation and recommending disposition of the complaint. Copies of the report shall be provided to the complainant, the accused, the Superintendent and others directly involved, as appropriate. 4. If the investigation results in a substantiated charge of harassment, the Upper Perkiomen School District shall take prompt corrective action to ensure the harassment ceases and will not recur.
Pol. 317, 417, 517	**Discipline** A substantiated charge against an Upper Perkiomen School District staff member shall subject such staff member to disciplinary action, including discharge.

If it is concluded that an employee has made false accusations, such employee shall be subject to disciplinary action, including termination.

Administrators or supervisors who either condone or fail to act to correct harassment brought to their attention may be subject to disciplinary action.

Appeal Procedure

1. If the complainant or accused is not satisfied with the decision, s/he may file a written appeal to the Compliance Officer.
2. The Compliance Officer shall review the initial investigation and report and may also conduct a reasonable investigation. S/He shall prepare a written response to the appeal. Copies of the response shall be provided to the complainant, the accused, supervisor and others directly involved, as appropriate.